

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 4 be amended to read as follows:

1 Page 1, line 3, after "15." insert "(a) **This section does not apply to**
2 **either of the following:**

3 **(1) A contract for supplies.**

4 **(2) A contract entered into before July 1, 2004.**

5 **(b)".**

6 Page 1, delete lines 5 through 12, begin a new line block indented
7 and insert:

8 **"(1) The contractor must file with the contracting agency an**
9 **affidavit affirming under the penalties for perjury that the**
10 **contractor has in its files an employment eligibility**
11 **verification form required by the Immigration Reform and**
12 **Control Act of 1986 (8 U.S.C. 1324a) for each individual that**
13 **will be employed in the performance of the contract. The**
14 **contractor must file a new affidavit with the contracting**
15 **agency any time the contractor assigns an employee who has**
16 **not previously worked under the contract to work under the**
17 **contract."**

18 Page 1, after line 14, begin a new paragraph and insert:

19 **"(c) The Indiana department of administration shall adopt rules**
20 **under IC 4-22-2 to implement this section. A state agency may**
21 **not enter into a contract for services before the department**
22 **adopts the rules required by this subsection.**

23 **(d) The attorney general may not approve a contract for**
24 **services if an affidavit required by subsection (b)(1) is not included**
25 **as part of the contract documents.**

26 **SECTION 2. [EFFECTIVE JUNE 30, 2004] (a) The definitions in**
27 **IC 5-22-2 apply throughout this SECTION.**

28 **(b) Notwithstanding IC 5-22-17-15(c), as added by this act, the**
29 **Indiana department of administration shall implement**

1 **IC 5-22-17-15, as added by this act, under interim written**
2 **guidelines approved by the commissioner of the Indiana**
3 **department of administration. A state agency may not enter into**
4 **a contract for services until the commissioner approves interim**
5 **written guidelines under this subsection.**

6 **(c) This SECTION expires on the earlier of the following:**

7 **(1) The date rules required by IC 5-22-17-15, as added by this**
8 **act, are adopted under IC 4-22-2.**

9 **(2) July 1, 2006."**

(Reference is to SB 4 as printed January 14, 2004.)

Senator DROZDA